

# Wetlands Bureau Decision Report

Reviewed by  
WJR 10/31/12

Decisions Taken  
10/22/2012 to 10/28/2012

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2012-01941                      TOWN OF NEWINGTON SELECTMEN**  
**NEWINGTON   Piscataqua River**

### Requested Action:

Impact a total of 840 sq. ft. of previously developed upland tidal buffer zone and tidal wetlands to expand and reconfigure parking areas along Patterson Lane, remove and replace a 15" culvert and catch basin, install keyed stone fill, and remove pavement and loam and seed.

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### APPROVE PERMIT:

Impact a total of 840 sq. ft. of previously developed upland tidal buffer zone and tidal wetlands to expand and reconfigure parking areas along Patterson Lane, remove and replace a 15" culvert and catch basin, install keyed stone fill, and remove pavement and loam and seed.

### With Conditions:

1. All work shall be in accordance with revised plans by Altus Engineering, Inc. dated July 12, 2012, as received by the NH Department of Environmental Services (DES) on July 23, 2012 and revised plan sheet CW-4 dated October 11, 2012 as received by DES October 11, 2012 and revised plan sheet CW-5 as received by DES October 12, 2012.
2. Any temporary work areas shall be restored to original condition upon completion of work.
3. There shall be no environmental impact to abutting properties.
4. Any further alteration of areas on the property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Work in tidal wetland areas shall be done during low tide.
10. Any dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.

### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for repair of existing structures pursuant to Env-Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated the need for upgrading the existing paved road and parking areas, stabilization of the shoreline to minimize erosion, and replacement of a deteriorated culvert and catch basin.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the proposal is the minimum work necessary to improve safety and the accessibility of traffic in the area.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a)(c), Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau has no record of sensitive species present within the vicinity of the project area.

5. In accordance with Env-Wt 204, the applicant requested a waiver from Env-Wt 304.04(a) regarding DES limiting the location of a project to at least 20 ft. from an abutting property line unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interest. The applicant sent written notices to abutter 1 wh 30p Family Limited Partnership on three separate dates over a three week timeframe requesting written concurrence for work within 20 ft. to the abutters property line with no response. The applicant has demonstrated that there will be no environmental impact to the abutter and the work is conditional on no environmental impact to abutters.

6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

**2012-02193                      UNITED CHURCH OF ACWORTH**  
**ACWORTH   Bowers Brook**

**Requested Action:**

Dredge and fill 940 square feet and temporarily impact 1,130 square feet of Bowers Brook to install a floodplain bench, rock vanes and vegetative stabilization to prevent further bank erosion.

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**APPROVE PERMIT:**

Dredge and fill 940 square feet and temporarily impact 1,130 square feet of Bowers Brook to install a floodplain bench, rock vanes and vegetative stabilization to prevent further bank erosion.

**With Conditions:**

1. All work shall be in accordance with plans by Headwaters Hydrology, PLLC dated July 2012, as received by the Department on August 13, 2012.
2. Work shall be done during low flow conditions.
3. All work shall be done from the top of the bank.
4. Extreme precautions shall be taken within stream bank and buffer areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
5. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the bank stabilization and stream restoration is constructed in accordance with the plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.

15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Only native plant species shall be utilized to renegotiate the riverbank.
20. Native live plantings shall be installed by September 15th, on previously stabilized banks, and dormant willows shall be planted in the spring by June 1st or in the fall by October 30th.
21. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
22. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Riverbank stabilization areas shall have at least 75% successful establishment of vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
25. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
26. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
27. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the project and schedule remedial actions if necessary. A report outlining the project status including photographs and any follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the project.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. At its closest point the failing top-of-bank is within 13 feet of the existing church.
3. Per Env-Wt 302.03(c)(2)(c), because the project involves only vegetative bank stabilization to protect existing infrastructure, mitigation is not required.
4. The Natural Heritage Bureau report stated, "We currently have no recorded occurrence for sensitive species near this project area."
5. The applicant has received written consent from the owner(s) of tax map(s)/lot no.(s) 247/1, 246/8 and NHDOT, abutters to the property on which project activities will take place, for work near and within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
9. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

## MINOR IMPACT PROJECT

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2012-00700                      MORTON REVOC TRUST, DONALD/JILL  
MEREDITH Lake Winnepesaukee

### Requested Action:

The Appellant requests Reconsideration of the Department's July 23, 2012 decision to approve the installation of a seasonal canopy on the grounds that it will adverse impact the Appellant's views.

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### Conservation Commission/Staff Comments:

The Con Com has no concerns

Inspection Date: 10/10/2012 by Darlene Forst

### DENY RECONSIDERATION:

Reconsider and re-affirm the decision to approve the installation of the proposed seasonal canopy.

### With Findings:

Grounds for Reconsideration

1. The Appellant asserts that the installation of the seasonal canopy is prohibited by Rule 402.08, Canopies, because the structure will obstruct a portion of the Appellant's view.
2. The Appellant asserts that the impact of the proposed would be unreasonable given that the watercraft could instead be protected by a less impacting boat cover.
3. The Appellant maintains that the Applicant has failed to meet all of the requirements of Rule 302.04, Requirements for Application Evaluation, including requirements associated with the documentation of need, selection of the least impacting alternative, assessment of the impact of the proposed project on public commerce, navigation and recreation, the extent to which a project interferes with the aesthetic interests of the general public, and the impact upon abutting owners pursuant to RSA 482-A:11, II.
4. The Appellant alleges that a previously issued permit could not authorize the boatlift because the notice to the abutters relative to that application did not specifically mention the construction of a permanent boatlift.
5. The Appellant asserts that the Applicant's property is subject to a deed restriction that should preclude the Department's authority to issue the permit for the proposed seasonal canopy.
6. The Appellant maintains that properties which are not contiguous to the subject property but from which the proposed canopy might be seen should be considered abutters and as such these abutters were not properly notified of the application.

### Standards for Approval

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), alteration of a 2-slip permanent docking facility.
2. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (1), the applicant shall demonstrate the need for the proposed impact.
3. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (2), the applicant shall demonstrate that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
4. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (8), the applicant shall demonstrate the impact of the proposed project on public commerce, navigation and recreation.
5. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (9), the applicant shall demonstrate the extent to which a project interferes with the aesthetic interests of the general public.
6. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (10), the applicant shall demonstrate the extent to which a project interferes with or obstructs public rights of passage or access.
7. Pursuant to Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), (11), the applicant shall demonstrate the impact

upon abutting owners pursuant to RSA 482-A:11, II.

8. Pursuant to RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions, I, (d), (1), at the time the permit application is submitted to the city or town clerk, the applicant shall provide postal receipts or copies, verifying that abutters, as defined in the rules of the department, and except as further provided in said rules, have been notified by certified mail.

9. In accordance with Rule Env-Wt 101.03 "Abutter" means any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration would cause the project to affect non-contiguous properties, owners of those properties are considered as abutters. The term does not include the owner of a parcel of land located more than ¼ mile from the limits of the proposed project.

10. Pursuant to RSA 482-A:10 Appeals, II, a request for reconsideration of a department decision under RSA 482-A:3 shall be filed with the department within 30 days of issuance of the department's decision.

#### Findings of Fact

1. On March 27, 2012 the NH Department of Environmental Services received an application to install a 14 ft x 30 ft seasonal canopy over an existing permanent boatlift on frontage of property identified as Block 54 on Meredith Tax Map U 23.

2. The application included documentation that the owners of those properties immediately adjacent and contiguous to the subject lot had been notified by certified mail that an application was being filed for a Wetland Impact Permit.

3. On April 19, 2012 the Department received correspondence from owners of the abutting property to the north describing their concerns that the proposed canopy would diminish the scenic view, particularly the view of Gunstock Mountain, from their frontage and would thus have an unreasonable impact on their ability to enjoy their property.

4. On May 4, 2012, the Department issued a Request for More Information Letter to the Applicant requesting that they address the Abutter's concerns regarding the potential for impacts to their view.

5. On July 16, 2012 the Department received correspondence for the Abutter that included a letter from the Applicant explaining that the need for the canopy included their wish to address safety concerns associated with boarding the watercraft from the lift in wet conditions.

6. On July 19, 2012 the Department received a response to the Request for More Information from the Agent for the Applicant. The response included photographs documenting the view of Gunstock Mountain from the abutting property when the Applicant's boat was raised in the existing lift. The Agent argued that the existing structures already impacted the view of Gunstock Mountain to such extent that the addition of the canopy would not result in an unreasonable impact on abutting views.

7. On July 23, 2012 the Department approved the installation of a 14 ft x 30 ft seasonal canopy.

8. On August 20, 2012 the Department received a Request for Reconsideration from the owners of the abutting property identified as Block 55 on Meredith Tax Map U 23.

9. On October 11, 2012, Department staff conducted a site inspection of the properties to further evaluate the potential impacts of the proposed property.

10. The Appellant maintains that the proposed canopy will obstruct their view of a specific geographical feature, Gunstock Mountain.

11. Field inspection of the property found that the view from the property extends from the Neal Shore area of Meredith Bay south across Brickyard Mountain and the Weirs, then across the northwest facing shoreline to Holt's Point, down into the Governor's Island Channel, to a point along Governor's Island that is determined by the location in which one stands on the Appellant's frontage.

12. Field inspection and an analysis of the view of this property completed using GIS found that Gunstock Mountain will still be fully visible from existing sitting areas on the Appellant's frontage.

13. Field inspection and an analysis of the view of this property completed using GIS found that the seasonal canopy will have no impact on the majority of the Appellant's views of Lake Winnepesaukee and its shorelines.

#### Rulings in Support of the Decision

1. The material nature of seasonal canopies makes it impossible to construct a canopy that will have absolutely no impact on any view, thus strict interpretation of Rule Env-Wt 402.08 would prohibit all canopy construction. Since it would be inappropriate to effectively prohibit all canopies using a rule which implies canopies are allowed, the Department evaluates canopies based upon the reasonableness of the proposed impacts.

2. The Applicant's stated needs of protecting the boat deck surfaces, which are not covered by a standard boat cover, and further to keep the walkway of the lift used to access the watercraft dry for safety reasons are commonly accepted by the Department as justification for the installation of a seasonal canopy.
3. The installation of a seasonal canopy is the least impacting method of sheltering a boat slip from sun and precipitation.
4. The proposed canopy will be located near shore, over an existing lift, and not in the vicinity of any natural or historic landmarks and thus will not have an unreasonable impact on the aesthetic interests of the general public.
5. The proposed seasonal canopy will be located over an existing boat slip and thus presents no additional impact to public rights of passage or access.
6. The existing permanent boat lift was constructed under Wetlands Permit # 2002-643. As required the Applicants notified the Abutters that they were filing a Wetlands Application. The language of RSA 482-A:3, I, (d), (1), does not obligate the Applicant to provide project specific details in the required notice to abutters, thus the notice was sufficient.
7. The Appellants neither objected to the proposed modifications to the dock during the review of the application nor appealed the permit for the impacts after they were permitted on September 12, 2002. The Appellants have no recourse to appeal the issuance of permit 2002-643 with the Department at this time.
8. The Department finds that the configuration of this section of shoreline is not such that other non-contiguous properties should be considered as abutters.
9. The deed restriction cited by the Appellant, if it can be construed to restrict activities within the public waters adjacent to the Applicant's property, is not within the Department's purview to enforce. Enforcement of such a deed restriction is a civil matter between the current owner and those whom the restriction was intended to benefit.
10. The proposed seasonal canopy will be constructed over a permanent boatlift which, when raised with the Applicant's watercraft present, already impacts the view of Gunstock Mountain from the southeast portion of the Appellant's frontage. The additional height of the seasonal canopy over the lift will not result in a significant increase in impact on the view from this portion of the Appellant's frontage. The proposed seasonal canopy will have no impact on the view of Gunstock Mountain from other portions of the Appellant's frontage. The Appellant's frontage also offers a view that is considerably more extensive than the limits of Gunstock Mountain. The Department thus reaffirms its initial assessment that the impacts of the proposed seasonal canopy on the abutter are not unreasonable.

**2012-01225                      CARTER, JEFFERY/LINDA**  
**MEREDITH   Lake Winnepesaukee**

**Requested Action:**

Repair an existing a 9 ft. 9 inch x 57 ft. dock supported by 7 piles and two 5 ft. 6 in. x 8 ft. cribs, a 2 ft. 6 in. x 53 ft. 8 in. piling pier, and a 13 ft. 2 in. x 26 ft. 8 in. boathouse with a 7 ft. 11 in. eave on the easterly side, and add a 3-piling ice cluster on an average of 118 ft. of shoreline frontage along Lake Winnepesaukee, in Meredith.

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**Conservation Commission/Staff Comments:**

No comments from Con Com by July 02, 2012

**APPROVE PERMIT:**

Repair an existing a 9 ft. 9 inch x 57 ft. dock supported by 7 piles and two 5 ft. 6 in. x 8 ft. cribs, a 2 ft. 6 in. x 53 ft. 8 in. piling pier, and a 13 ft. 2 in. x 26 ft. 8 in. boathouse with a 7 ft. 11 in. eave on the easterly side, and add a 3-piling ice cluster on an average of 118 ft. of shoreline frontage along Lake Winnepesaukee, in Meredith.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated October 19, 2012, as received by the NH Department of Environmental Services (DES) on October 19, 2012.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation

- action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
  7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
  8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
  9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m), addition of an ice cluster which does not add slips to an existing docking system.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed repairs replace two cribs supporting one dock with piles.

**2012-01509                      MERRIMACK VALLEY DEVELOPMENT CORP**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Remove an existing 6 ft. x 30 ft. seasonal pier, install two seasonal personal watercraft lifts, install two 6 ft. x 30 ft. seasonal piers connected by two 6 ft. x 8.5 ft. walkways and a 6 ft x 9 ft walkway in a "U" configuration with a 14 ft. x 30 ft. seasonal canopy, all accessed by a 6 ft. x 41 ft walkway, and excavate 340 sq. ft. of bank from 22 ft. of shoreline to construct a 22 ft. x 17.5 ft. perched beach with 5 ft. wide steps to the water on an average of 155 ft. of frontage along Lake Winnepesaukee in Gilford.

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Conservation Commission/Staff Comments:

Con Comm voted to table the application to the July 3,2012 mtg to get copy of abutter's notification and to do a site visit on June 27th @ 5:30pm.

APPROVE PERMIT:

Remove an existing 6 ft. x 30 ft. seasonal pier, install two seasonal personal watercraft lifts, install two 6 ft. x 30 ft. seasonal piers connected by two 6 ft. x 8.5 ft. walkways and a 6 ft x 9 ft walkway in a "U" configuration with a 14 ft. x 30 ft. seasonal canopy, all accessed by a 6 ft. x 41 ft walkway, and excavate 340 sq. ft. of bank from 22 ft. of shoreline to construct a 22 ft. x 17.5 ft. perched beach with 5 ft. wide steps to the water on an average of 155 ft. of frontage along Lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates as dated September 14, 2012, as received by the NH Department of Environmental Services (DES) on September 17, 201.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.



5. No portion of the piers shall extend more than 76 feet from the shoreline at full lake elevation.
6. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
13. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
14. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 155 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**MINIMUM IMPACT PROJECT**

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**2012-00883                      HUNT, JOHN**  
**RINDGE   Upper Damon Reservoir**

Requested Action:

Replenish 900 sq. ft. of beach with less than 10 cubic yards of sand on Upper Damon Reservoir, in Rindge.

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Conservation Commission/Staff Comments:

LOD 12-012, Jen Drociak. 10/15/12 Rec'd Con. Com. signature.

APPROVE PERMIT:

Replenish 900 sq. ft. of beach with less than 10 cubic yards of sand on Upper Damon Reservoir, in Rindge.

With Conditions:

1. All work shall be in accordance with plans by DuBois and King Inc. dated August 24, 2012, as received by the NH Department of Environmental Services (DES) on October 01, 2012.

2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
4. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
5. This permit shall be used only once, and does not allow for annual beach replenishment.
6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
7. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of a beach.

2012-02192

BURNHAM, STEFANIE

STRAFFORD Unnamed Wetland

Requested Action:

Fill 2,867 sq. ft. of wetland to construct a driveway and install two 12" HDPE culverts to serve a single-family residential lot.

\*\*\*\*\*

APPROVE PERMIT:

Fill 2,867 sq. ft. of wetland to construct a driveway and install two 12" HDPE culverts to serve a single-family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated July 19, 2011, as received by the NH Department of Environmental Services (DES) on August 14, 2012.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant is proposing to construct retaining walls on each side of the crossing to minimize impacts to the wetland.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau has no record of sensitive species present within the vicinity of the project area.

**2012-02249**  
**STARK**

**MASON, HARLEY**

**Requested Action:**

Impact 878 square feet of wetland to remove an existing, unpermitted 15-inch by 30-foot CPP culvert and replace with a 24-inch by 30-foot CPP culvert and headwall to improve an unpermitted crossing installed for forestry practices and construct a wetland crossing for access to a 10-lot residential subdivision of approximately 99.71 acres.

\*\*\*\*\*

**APPROVE AFTER THE FACT:**

Impact 878 square feet of wetland to remove an existing, unpermitted 15-inch by 30-foot CPP culvert and replace with a 24-inch by 30-foot CPP culvert and headwall to improve an unpermitted crossing installed for forestry practices and construct a wetland crossing for access to a 10-lot residential subdivision of approximately 99.71 acres.

**With Conditions:**

1. All work shall be in accordance with the following plans:
  - a.) The plan by Beaver Tracks, LLC. as received by the NH Department of Environmental Services (DES) on August 20, 2012; and,
  - b.) The plan by York Land Services, LLC dated April 23, 2012 and revised 6-25-2012, as received by DES on September 24, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #8 of this approval.
4. This permit shall not be effective until it has been recorded with the Coos County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**FORESTRY NOTIFICATION**

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**2012-02758                      MCMANUS, ANDREW & BETH**  
**BATH   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Bath, Tax map 9, Lot #3

**2012-02797                      ROBIE, LAWRENCE W FAMILY TRUST, GEORGE ROBIE**  
**HILL   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Hill, Tax map 12, Lot #27

**2012-02823                      NFTI LP**  
**MADISON   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Madison  
Tax Map: 11   Lot 28  
217        9  
220        3

**2012-02828                      EAST KINGSTON CONSERVATION COMMISSION**  
**EAST KINGSTON   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
East Kingston, Tax Map 9, Lot #23

**2012-02830                      BURLEIGH LAND LTD. PARTNERSHIP**  
**HOLDERNESS   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Holderness, Tax Map 216, Lot #2

**2012-02837                      PERREAULT, RICHARD**  
**NORTHFIELD   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:  
Northfield, tax map U12, lot #25

**2012-02885                      DOYLE, SUSAN**  
**WESTMORELAND   Unnamed Stream Unnamed Wetland**

COMPLETE NOTIFICATION:

Westmoreland, Tax map R5, Lots #3, 7 & 8

Keene, Tax map 925, Lot #11-7

Keene, Tax map 23, Lot #11-6

EXPEDITED MINIMUM

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2012-02609

GOODMAN III, JOHN

TROY Unnamed Wetland

Requested Action:

Dredge and fill 253 square feet of palustrine forested wetland to install a 24-inch culvert for driveway access to an existing single family residential lot.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 253 square feet of palustrine forested wetland to install a 24-inch culvert for driveway access to an existing single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC, dated 9-19-2012, as received by the Department on September 26, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culverts shall be laid at original grade.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps.
2. A letter of concern regarding the project was received on October 15, 2012. The letter questioned if sufficient information (wetland delineation, flood zones, drainage ditches) was provided to determine if the proposed wetlands crossing is necessary, the least impacting alternative and if wetland impacts have been addressed.
3. In email correspondence received October 17, 2012, the NH Certified Wetland Scientist (CWS) for the project confirmed the wetlands delineated on plans continue to widen to the northerly property boundary. Therefore, the wetland bisects the lot with exception of approximately 20 feet of uplands directly abutting a property line.
4. The submitted plans stamped by the project's NH CWS depict the areas of construction and delineates wetlands in the area of

construction.

5. An application for septic system approval has been submitted to the NHDES Subsurface Systems Bureau.
6. The submitted Natural Heritage Bureau (NHB) report stated that there is no recorded occurrences for sensitive species near the project area.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2012-02656                      HANNAH E PERUTZ REVOCABLE TRUST**  
**BEDFORD   Unnamed Wetland**

**Requested Action:**

Dredge and fill 255 sq. ft. of forested wetlands for access to a residential building lot. Work consists of installation of a 18 in. x 20 ft. CPP culvert and associated dredging, filling, headwalls and outlet protection.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1. The Conservation Commission signed the application waiving their right to intervene.

**APPROVE PERMIT:**

Dredge and fill 255 sq. ft. of forested wetlands for access to a residential building lot. Work consists of installation of a 18 in. x 20 ft. CPP culvert and associated dredging, filling, headwalls and outlet protection.

**With Conditions:**

1. All work shall be in accordance with plans by Sanford Surveying and Engineering, "Driveway Crossing Detail" dated September 6, 2012, as received by the NH Department of Environmental Services (DES) on October 1, 2012.
2. This permit is contingent on the applicant receiving permission from the Town of Bedford for the culvert installation and associated work within the Town's road right of way.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2012-02659                      ALTON, TOWN OF  
ALTON   Unnamed Wetland

Requested Action:

Dredge and fill 2 sq. ft. of forested wetlands for installation of a new roadway drainage/treatment system associated with roadway improvements on Roger Street.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 2 sq. ft. of forested wetlands for installation of a new roadway drainage/treatment system associated with roadway improvements on Roger Street.

With Conditions:

1. All work shall be in accordance with plans by Farmhouse Land Development dated September 20, 2012, as received by the NH Department of Environmental Services (DES) on October 1, 2012.
2. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
3. The Town shall maintain the sump of the "Proposed Water Quality Basin" at least annually.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing dirt road runoff and associated drainage goes to the adjacent wetland. The applicant's agent has indicated that the infiltration system will be a tremendous improvement to the water quality issues at this location.
6. The agent informed DES that the Town does annual maintenance of their catchbasins.

**TRAILS NOTIFICATION**

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**2012-02703                      GREEN ACRES WOODLANDS INC**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Groton Tax Map 9 Lot 2 and Tax Map 7 lot 8.

**2012-02778                      WATKINS, JOHN/MARY**  
**TAMWORTH   Chocorua Lake**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 407 Lot 116.

**PERMIT BY NOTIFICATION**

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**2012-02734                      LIMERICK, THOMAS**  
**PELHAM   Little Island Pond**

Requested Action:  
Repair retaining wall on 53 ft of frontage on Little Island Pond.

\*\*\*\*\*



**PBN DISQUALIFIED:**

Repair retaining wall on 53 ft of frontage on Little Island Pond.

**With Findings:**

1. This project does not meet the requirements for Permit by Notification because the work has already been started.

**2012-02822                      DUOIS, MICHAEL & JOANNE**  
**MILTON   Milton Pond**

**Requested Action:**

Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com did not sign PBN form

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.

**2012-02836                      HABIG, JOHN**  
**RYE   Little Harbor**

**Requested Action:**

In-kind replacement of an existing 5-foot, 4-inch by 69-foot fixed pier and the 11-foot, 5-inch by 19-foot, 3-inch bump out on the Piscataqua River Back Channel to Little Harbor.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

The Rye Conservation Commission signed PBN.

**PBN IS COMPLETE:**

In-kind replacement of an existing 5-foot, 4-inch by 69-foot fixed pier and the 11-foot, 5-inch by 19-foot, 3-inch bump out on the Piscataqua River Back Channel to Little Harbor.

**2012-02850                      BAUMGARTNER, LISA**  
**WAKEFIELD   Pine River Pond**

**Requested Action:**

Repair 98 linear ft of stone and mortar retaining wall and replenish an existing beach.

\*\*\*\*\*

**PBN IS COMPLETE:**

Repair 98 linear ft of stone and mortar retaining wall and replenish an existing beach.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 506.01, (a), (9).

**2012-02851                      HIGGINBOTTOM, DAVE & SHEILA**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Replace a 3 piling cluster, repair an existing 12 ft. x 43 ft. 3 in. piling pier, a 14 ft. x 32 ft. boathouse, and a 6 ft. x 86 ft. 9 in. walkway on an average of 185 ft of frontage along Lake Winnepesaukee in Meredith.

\*\*\*\*\*

PBN IS COMPLETE:

Replace a 3 piling cluster, repair an existing 12 ft. x 43 ft. 3 in. piling pier, a 14 ft. x 32 ft. boathouse, and a 6 ft. x 86 ft. 9 in. walkway on an average of 185 ft of frontage along Lake Winnepesaukee in Meredith.

With Findings:

1. This project qualifies for permit by notification in accordance with Rule Env-Wt 506.01 (a), (5).

**CSPA PERMIT**

\*\*\*\*\*

**2012-02032                      GEM REVOCABLE TRUST**  
**RAYMOND   Governors Lake**

Requested Action:

Impact 4,929 sq. ft. within the protected shoreland to remove a damaged residence and construct a 896 sq. ft. residence with a 288 sq. ft. deck and associated subsurface disposal system.

\*\*\*\*\*

Inspection Date: 10/22/2012 by Dale R Keirstead

APPROVE PERMIT:

Impact 4929 sq. ft. within the protected shoreland to remove a damaged residence and construct a 896 sq. ft. residence with a 288 sq. ft. deck and associated subsurface disposal system.

With Conditions:

1. All work shall be in accordance with plans by S and H Land Services as revised October 1, 2012 and received by the NH Department of Environmental Services (DES) on October 1, 2012.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The owner shall have the property lines located and staked by a licensed surveyor prior to the initiation of any excavation, filling, or construction on the property. If at that time the property lines are found to be different than those shown on the approved plan, no work may commence until revised plans accurately depicting the property lines have been submitted and approved by the Department.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit is contingent on approval by the DES Subsurface Systems Bureau.

With Findings:

1. The Department has received written concerns from an abutter questioning the Applicant's right to apply for the proposed construction as well as questioning the property lines as shown on the plans and located in the field.
2. The permit has been conditioned to require that the property lines be located in the field by a licensed surveyor.
3. The deed submitted with the application indicates that the applicant has a legal right to complete the requested project.

**2012-02643                      235 PILOTHOUSE ROAD REALTY TRUST**  
**NEW LONDON   Sunapee Lake**

Requested Action:

Impact 47,894 sq. ft. in order to remove existing home and driveway and rebuild a new home and driveway on the northwest side of lot.

\*\*\*\*\*

APPROVE PERMIT:

Impact 47,894 sq. ft. in order to remove existing home and driveway and rebuild a new home and driveway on the northwest side of lot.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated September 2012 and received by the NH Department of Environmental Services (DES) on September 28, 2012.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 10,909 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02665                      CIPRIANO, MICHAEL**  
**BARNSTEAD   Locke Lake**

Requested Action:

Impact 2,689 sq ft in order to expand a driveway, construct 3 retaining walls, add a drip edge, and install a drywell.

\*\*\*\*\*

APPROVE PERMIT:

Impact 2,689 sq ft in order to expand a driveway, construct 3 retaining walls, add a drip edge, and install a drywell.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 24, 2012 and received by the NH Department of Environmental Services (DES) on October 2, 2012.
2. No more than 12.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,805 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02673                      DOSCHER, FREDERICK/MARGARET  
MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 5,375 sq. ft. in order to install a new foundation, replace a portion of a dwelling destroyed by fire, construct additions and impervious parking area, reconstruct a retaining wall, and install drip edge infiltration system and rain garden.

\*\*\*\*\*

APPROVE PERMIT:

Impact 5,375 sq. ft. in order to install a new foundation, replace a portion of a dwelling destroyed by fire, construct additions and impervious parking area, reconstruct a retaining wall, and install drip edge infiltration system and rain garden.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan dated October 1, 2012 and received by the NH Department of Environmental Services (DES) on October 3, 2012.
2. No more than 24.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,231 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02674                      JOHNSON, CHARLES/KATHLEEN  
WASHINGTON   Island Pond**

Requested Action:

Connect a breezeway roof from main house to garage over existing brick patio.

\*\*\*\*\*

APPROVE PERMIT:

Connect a breezeway roof from main house to garage over existing brick patio.

With Conditions:

1. All work shall be in accordance with plans by John S Kendall dated October 2, 2012 and received by the NH Department of Environmental Services (DES) on October 3, 2012.
2. No more than 12.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2012-02710

**KOOP, NORMAN**

**ENFIELD Mascoma Lake**

Requested Action:

Impact 7,386 sq. ft. in order to construct an addition to a house, install a new septic system, and modify the parking area.

\*\*\*\*\*

APPROVE PERMIT:

Impact 7,386 sq. ft. in order to construct an addition to a house, install a new septic system, and modify the parking area.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated September 2012 and received by the NH Department of Environmental Services (DES) on October 9, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,118 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02722 COATE, MARGARET  
PORTSMOUTH North Mill Pond**

Requested Action:

Impact 4,176 sq. ft. in order to remove existing house and paved driveway, and rebuild a new house with screened porch, driveway, and pervious walkway.

\*\*\*\*\*

APPROVE PERMIT:

Impact 4,176 sq. ft. in order to remove existing house and paved driveway, and rebuild a new house with screened porch, driveway, and pervious walkway.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc. dated August 30, 2012 and received by the NH Department of Environmental Services (DES) on October 11, 2012.
2. No more than 4.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02726 JUNIUS, ELIZABETH BENDER  
SUNAPEE Sunapee Lake**

Requested Action:

Impact 12,841 sq. ft. in order to raze an existing residence and build a new residence with an attached garage, modify the driveway, and landscape within the waterfront buffer.

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APPROVE PERMIT:

Impact 12,841 sq. ft. in order to raze an existing residence and build a new residence with an attached garage, modify the driveway, and landscape within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by DB Landscaping LLC dated October 2012 and received by the NH Department of Environmental Services (DES) on October 11, 2012.
2. No more than 21.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 2,783 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2012-02727                      GINGRICH, PAT/ROGER**  
**BARRINGTON   Swains Lake**

**Requested Action:**

Impact 8,871 sq. ft. in order to construct a 3 bedroom residence with attached garage, driveway, and a screen room within the waterfront buffer located behind the 20ft accessory structure setback.

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**APPROVE PERMIT:**

Impact 8,871 sq. ft. in order to construct a 3 bedroom residence with attached garage, driveway, and a screen room within the waterfront buffer located behind the 20ft accessory structure setback.

**With Conditions:**

1. All work shall be in accordance with plans by Pollock Land Planning LLC dated September 24, 2012 and received by the NH Department of Environmental Services (DES) on October 11, 2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The installation of the proposed 6 ft. x 40 ft. seasonal dock is contingent upon receiving a Wetlands Permit per RSA 482-A.
4. No more than 18.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 3,090 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**CSPA PERMIT W/WAIVER**

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**2009-00892                      GRAHAM, JOHN**  
**ENFIELD   Spectacle Pond**

**Requested Action:**

AMENDMENT DESCRIPTION: Revised plan submitted May 11, 2012 to include the construction of a 4 foot by 10 foot addition to the primary structure and changes to garage, driveway, and access walkway locations. New post-construction impervious area, 13.8%.

PERMIT DESCRIPTION: Impact 4,700 sq ft to construct a 12'x 12' screened porch, a 20x 24' detached garage, a 3'x 51' long

sidewalk, and reconfigure gravel driveway.

\*\*\*\*\*

Inspection Date: 03/08/2011 by Jeffrey D Blecharczyk

**APPROVE AMENDMENT:**

**AMENDMENT DESCRIPTION:** Revised plan submitted May 11, 2012 to include the construction of a 4 foot by 10 foot addition to the primary structure and changes to garage, driveway, and access walkway locations. New post-construction impervious area is 13.8%.

**PERMIT DESCRIPTION:** Impact 4,700 sq ft to construct a 12'x 12' screened porch, a 20x 24' detached garage, a 3'x 51' long sidewalk, and reconfigure gravel driveway.

**With Conditions:**

1. All work shall be in accordance with plans by Pathway Consulting, LLC dated April 30, 2012 and received by the Department of Environmental Services ("DES") on May 11, 2012.
2. This Permit is contingent upon completion of the Restoration Plan Approval Letter issued by DES on October 24, 2012.
3. The parties may agree in writing to extend these deadlines to the extent that delays are caused by circumstances beyond the Graham's control, such as, but not limited to, receipt of municipal approval to complete the modifications.
4. No more than 13.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 1,156 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2012-02725**

**ANDERSON, JOANNE/STEPHEN**

**ALTON Lake Winnepesaukee**

**Requested Action:**

Impact 1,504 sq. ft. in order to extend patio from adjacent property, move shed, regrade lawn for infiltration, and replant within the waterfront buffer.

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**APPROVE PERMIT:**

Impact 1,504 sq. ft. in order to extend patio from adjacent property, move shed, regrade lawn for infiltration, and replant within the waterfront buffer.

**With Conditions:**

1. All work shall be in accordance with plans by Varney Engineering dated September 28, 2012 and received by the NH Department of Environmental Services (DES) on October 11, 2012.
2. No more than 38% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.



3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

#### UTILITY NOTIFICATION

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**2012-02871                      JAFFREY, TOWN OF**  
**JAFFREY   Unnamed Stream Unnames Wetland**

#### COMPLETE NOTIFICATION:

Equipment repair and maintenance of ROW for sewer repairs.

